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REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 900 (1994)

I. INTRODUCTION

1. In paragraphs 1 and 2 of its resolution 900 (1994) of 4 March 1994, the Security Council called on all parties in Bosnia and Herzegovina to cooperate with the United Nations Protection Force (UNPROFOR) in the consolidation of the cease-fire in and around Sarajevo; and to achieve complete freedom of movement for the civilian population and humanitarian goods to, from and within Sarajevo, to remove any hindrance to such freedom of movement, and to help restore normal life to the city.

2. In paragraphs 3 and 4 of that resolution, the Council requested the Secretary-General to appoint a senior civilian official to draw up an overall assessment and plan of action for the restoration of essential public services in the various opstine of Sarajevo, other than the city of Pale; and to establish a voluntary trust fund for that purpose.

3. In paragraph 7, the Council also requested the Secretary-General to report on the feasibility and modalities for the application of the protection defined in resolutions 824 (1993) of 6 May 1993 and 836 (1993) of 4 June 1993 to Maglaj, Mostar and Vitez, taking into account all developments both on the ground and in the negotiations between the parties.

4. The present report is submitted in response to paragraphs 5 and 7 of resolution 900 (1994), in which the Secretary-General was requested to submit reports within 7 and 10 days, respectively, on the various issues mentioned in the resolution. The situation in Bosnia and Herzegovina is undergoing rapid changes, which have provided a multitude of new opportunities to implement existing mandates and to make significant progress towards a peaceful settlement.

5. A significant development in this regard is the active and direct involvement of major Powers in the negotiation process. The unity of purpose and the close cooperation of the international community have contributed to the meaningful progress that has been achieved. Moreover, the close and productive collaboration between the United Nations and the North Atlantic Treaty

Organization (NATO) following the declaration made by the North Atlantic Council on 9 February has significantly facilitated the successful implementation of the cease-fire and weapons control measures in and around Sarajevo, initiated by UNPROFOR on 6 February 1994.

6. Another significant development with ramifications for the wider situation is the cease-fire agreement between the Commander-in-Chief of the Army of Bosnia and Herzegovina and the Chief of Staff of the Croatian Defence Council (HVO), which was signed on 23 February 1994 at Camp Pleso in Zagreb in the presence of the Force Commander of UNPROFOR (see annex). The Framework Agreement establishing a Federation in the Areas of the Republic of Bosnia and Herzegovina with a Majority Bosniac and Croat Population, and the Outline of a Preliminary Agreement for a Confederation between the Republic of Croatia and the Federation, signed in Washington on 1 March 1994 (see S/1994/255), also appear to have opened new avenues for a political settlement.

7. Given this fluid situation, the present report can only provide an outline of the major concepts and requirements of UNPROFOR. I shall submit further reports on those issues which require more detailed study, in particular the plan of action for the restoration of essential public services in the various opstine of Sarajevo, other than the city of Pale.

II. ARRANGEMENTS RELATING TO THE CEASE-FIRE AND ENSURING THE FREEDOM OF MOVEMENT IN AND AROUND SARAJEVO

8. In pursuance of Security Council resolutions 824 (1993), 836 (1993) and 844 (1993) of 18 June 1993, and following agreement reached on 9 February on a cease-fire and measures relating to heavy weapons in and around Sarajevo, UNPROFOR began to implement the various arrangements agreed upon between my Special Representative and the Bosnian Government and between my Special Representative and the Bosnian Serbs. These cease-fire and demilitarization arrangements for Sarajevo involve numerous new tasks, such as the interposing of UNPROFOR units at the confrontation line between the forces of the Bosnian Government and the Bosnian Serbs, and the monitoring of the withdrawal of heavy weapons from a 20-kilometre radius of Sarajevo or their placing under UNPROFOR control.

9. It will be recalled that the Council, in its resolution 844 (1993) of 18 June 1993, authorized an initial strength of 7,600 troops for the implementation of the "safe area" concept outlined in my report of 14 June 1993 (S/25939). In that report, the Force Commander of UNPROFOR had estimated an additional troop requirement of approximately 34,000 to obtain deterrence through strength; however, the Council preferred the "light option" of a minimal troop reinforcement of around 7,600. None the less, Member States have not so far found it possible to provide UNPROFOR even with the reduced number of troops. Out of the authorized strength of 7,600 troops, only 5,200 are deployed in theatre, leaving a shortfall of 2,400 troops. Moreover, it was not possible to anticipate, at the time, the above developments and, in particular, the number of troops that would be required to respond to the rapidly evolving situation in Sarajevo. Since early February 1994, therefore, UNPROFOR has had to redeploy some 1,200 troops and 100 military observers from the United Nations

Protected Areas in Croatia and from other areas in Bosnia and Herzegovina to support the some 2,500 troops of Sector Sarajevo who could be reassigned for the operation.

10. The flexibility required to respond in an expeditious manner to the additional responsibilities placed upon the Force has put a great strain on UNPROFOR's limited resources. So far, the cease-fire and the arrangements regarding heavy weapons have generally been respected by the parties concerned. However, there is a tendency for the parties, in particular the Bosnian Serbs, to test the limits of the Force's ability effectively to monitor and control the 20-kilometre zone around Sarajevo in accordance with the above arrangements. The tensions between the two sides are still high and mutual suspicions remain that the other side is violating the agreed arrangements in order to obtain tactical military advantages. However, many contentious issues can be resolved by establishing an immediate UNPROFOR presence at the trench or weapons site concerned. In the absence of sufficient manpower, however, UNPROFOR cannot appropriately defuse even these minor disputes. Only a strong and visible presence of UNPROFOR in the area around Sarajevo can, therefore, consolidate the significant progress made and prevent violations with regard to the heavy weapons arrangements or, more important, a return to the hostilities of the kind that terrorized the population of Sarajevo for 22 months.

11. UNPROFOR has carefully analysed the tasks involved in consolidating the cease-fire in and around Sarajevo and in ensuring the freedom of movement of the civilian population and of humanitarian goods, and has come to the conclusion that 22 mechanized infantry companies are needed for the task. At present UNPROFOR has 11 companies at its disposal in the area concerned and therefore needs to be reinforced without delay by 11 more companies (some 2,400 all ranks), that is, two or three mechanized infantry battalions, depending on their configuration and strength, self-sufficient with support and logistics units. Because of the flexible and mobile deployment necessitated by the multi-role approach of interposing at confrontation lines, controlling heavy weapons collection sites, as well as patrolling and monitoring the 20-kilometre exclusion zone, improving the logistics capability of UNPROFOR has become a matter of utmost urgency. In addition to the above requirements, UNPROFOR would, therefore, need to be augmented further by logistic and support units of 2,200 all ranks. These units should include one logistics battalion (1,000 all ranks), one engineer battalion (500 all ranks), one special reconnaissance squadron (150 all ranks), one helicopter squadron (150 all ranks, with six armed helicopters) and eight indirect fire locating units (50 all ranks each). Moreover, UNPROFOR would need an additional 100 United Nations military observers in order to permit the military observers redeployed from the United Nations protected areas in Croatia to return to their original functions. To implement the tasks in and around Sarajevo thus requires a total of 4,600 troops. Taking into account the 2,400 troops already authorized by the Security Council in its resolution 844 (1993) but not yet deployed in theatre, UNPROFOR's authorized strength would have to be increased by 2,200 all ranks.

12. The freedom of movement for the civilian population of Sarajevo is directly related to effective compliance with the cease-fire arrangements and the measures relating to heavy weapons. The main impediments to movement inside the city have been continued sniper activity and constant shelling. UNPROFOR's

deployment along the confrontation lines has already significantly reduced sniper activity. Apart from the measures to control heavy weapons, the deployment of mortar and artillery locating radars in Sarajevo in connection with the threat to use air power against any mortar or artillery position firing against the city has contributed significantly to the effective end of the shelling of Sarajevo. UNPROFOR is also in the process of addressing the issue of the numerous checkpoints that obstruct access to the city.

13. Movement to and from the city, however, depends on the status of the access routes, not only in the immediate vicinity of Sarajevo but also throughout Bosnia and Herzegovina. The main lifeline to Sarajevo is the road from Ploce on the Adriatic coast via Mostar, Jablanica and Konjic. Hitherto, this route has been blocked by the Bosnian Serb ring around Sarajevo as well as by the Bosnian Croat (HVO) forces as a result of the conflict between the forces of the Bosnian Government and the HVO. Following the cease-fire agreement signed on 23 February 1994 at Camp Pleso, UNPROFOR has initiated measures to take control of this major access road as well as other roads essential for the delivery of humanitarian assistance in Bosnia and Herzegovina. The parties to this agreement have so far generally respected their undertakings. Moreover, the ongoing negotiations relating to the establishment of a Federation involving the Bosnian Muslim and Croat communities augur well for continued compliance with the cease-fire agreement. After months of intensive fighting, however, the improvement in relations between the two sides at the local level is tenuous at best and needs to be consolidated by confidence-building measures such as those provided for in the agreement.

14. These measures involve the following additional tasks for UNPROFOR:

(a) To monitor the cease-fire along the confrontation lines with patrols and observation posts;

(b) To establish heavy weapons collection sites;

(c) To monitor the heavy weapons that are not being handed over;

(d) To monitor the exclusion zone to prevent any return of heavy weapons;

(e) To transport and protect prisoners during exchanges;

(f) To assist in repairs to utilities.

For the implementation of these tasks UNPROFOR urgently needs to be reinforced by four mechanized infantry battalions (each 1,200 all ranks, including support and logistics units and a reconnaissance squadron); one logistic battalion (600 all ranks, equipped for transportation and fuel supply); one engineer battalion (500 all ranks, equipped for road repair, bridging, and mine clearance); and one special forces company (150 all ranks, equipped for monitoring sniper activity). These additional troop requirements for the operations in central Bosnia amount to 6,050 all ranks.

15. In addition, 50 United Nations military observers would be required for monitoring and observation responsibilities emanating from the cease-fire agreement for central Bosnia. Taking into account the 100 additional military observers required in and around Sarajevo, the authorized number of observers for UNPROFOR's tasks in Bosnia and Herzegovina has to be increased by 150. As both the Sarajevo and central Bosnia operations include numerous tasks for civilian police officers, an additional 275 civilian police monitors would also be required.

III. FEASIBILITY OF EXTENDING THE SAFE AREA CONCEPT TO MAGLAJ, MOSTAR AND VITEZ

16. The effectiveness of the "safe area" concept on the one hand depends on the attitude and the intentions of the parties concerned and on the other is a function of the resolve of the international community as perceived by the parties. The latter in turn is predicated upon the military assets deployed by UNPROFOR to project deterrence. Minimal assets may be adequate to ensure basic survival: the "safe areas" of Gorazde, Srebrenica and Žepa have not been subjected to attack even though UNPROFOR's presence was confined to two companies in Srebrenica, one company in Žepa and only eight unarmed military observers in Gorazde. The prevailing circumstances permitted the mere fact of an UNPROFOR presence, albeit limited, to deter any major attacks. However, this presence was not sufficiently large in number to ensure appropriate conditions of control inside the safe areas, nor to ensure regular and unimpeded access for humanitarian assistance convoys. UNPROFOR has saved lives by its presence in the safe areas, but that has not made these areas truly "safe".

17. The relative success (in military terms) of the UNPROFOR presence in the eastern Bosnian safe areas, however, cannot be taken as a model. Living conditions in the safe areas remain appalling; the areas are unviable socially and economically, and they suffer from high levels of unemployment, overcrowding, crime and prostitution, as well as the tension of an uncertain future. Moreover, the Army of Bosnia and Herzegovina has also used the safe areas as locations in which its troops can rest, train and equip themselves as well as fire at Serb positions, thereby provoking Serb retaliation. It is UNPROFOR's view that before the concept of safe areas is applied to additional areas, these issues need to be resolved. The concept might, for instance, require redefinition in that those troops exempt from demilitarization would have to be effectively prevented from taking tactical military advantage of their presence in a safe area. Equally, the presence of UNPROFOR in such areas must be of a sufficient level not only to deter attack but also to permit the development of normal conditions of life.

18. UNPROFOR is already present in or in the vicinity of Mostar and Vitez. These two areas are also directly affected by UNPROFOR's new efforts to open vital supply routes and to monitor the cease-fire between the Bosnian Muslim and Croat communities and to control their heavy weapons. The situation in Maglaj is different in that it has never been the site of an UNPROFOR presence and is not part of the process of political <u>rapprochement</u> that is taking place between the Muslim and Croat communities. For the past few months, Maglaj has been reported besieged by the Bosnian Serb side and has remained largely inaccessible

for both the Office of the United Nations High Commissioner for Refugees (UNHCR) and UNPROFOR.

19. The utility of extending the concept of safe areas to Mostar and Vitez must be considered in the larger context of the overall situation on the ground. Had the conflict still been in progress, the prospect of deterring attacks might have warranted such a step. With the cease-fire, however, new priorities commend themselves. The tasks described in paragraph 14 above call for UNPROFOR to be endowed with sufficient resources to preserve the peace and to deploy those resources in a flexible manner, rather than being permanently deployed in fixed strengths at fixed locations - safe areas included - regardless of subsequent political and military developments. Linking the provision of new contingents to safe areas may, therefore, work against the clear and growing requirement for improved flexibility.

20. The political and military circumstances in Bosnia and Herzegovina at the present time differ greatly from those prevailing in June 1993. The military balance has changed and new internal factors coupled with outside pressures may continue to moderate the offensive capacities and intentions of the parties. My Special Representative believes that the improved climate for negotiation and confidence-building makes it inappropriate to use the safe area concept in a static manner. The deployment of UNPROFOR should, therefore, reflect the actual situation in the various areas in Bosnia and Herzegovina and should not be restricted to existing or future safe areas.

21. Given the political developments, UNPROFOR does not believe that there is, at this point, a need to apply the protection defined in Security Council resolutions 824 (1993) and 836 (1993) to Mostar and Vitez. These areas would be sufficiently covered by the flexible approach described above and within the additional resources requested for central Bosnia.

22. In view of the continuing hostilities in and around Maglaj, however, the same argument would not apply and there may be merit in extending the safe area concept to that city. At the same time, it is clear that UNPROFOR would not be able to provide the protection concerned with its present resources. In order to establish a presence in the area with a view to deterring further attacks and to escorting humanitarian aid convoys in and around the pocket, the Force Commander has estimated that UNPROFOR would need one heavy mechanized infantry battalion, consisting of four armoured infantry companies and one armoured infantry squadron. This would require increasing UNPROFOR's strength by 1,200 all ranks, plus 300 support troops for engineer and logistics support, should the Security Council decide to declare Maglaj a safe area.

IV. RESTORATION OF ESSENTIAL PUBLIC SERVICES IN SARAJEVO

23. Since 1992, UNPROFOR civil and military personnel, United Nations agencies and programmes as well as non-governmental organizations operating under the auspices of UNHCR have been actively involved in repair, maintenance, improvement and extension works aimed at ensuring the survival of the population in Sarajevo. In the framework of the regular meetings of the High-level Committee on Cooperation, convened and chaired by UNPROFOR since the middle of

1993, the parties have reached a series of agreements on the partial restoration of the supply of gas, fuel, electricity, water and other essential services. However, all such agreements were implemented with considerable difficulty in view of the prevailing insecurity.

24. To meet the present need for a more systematic and integrated approach, UNPROFOR on 1 March 1994 established an Interim Coordination Body to act as a temporary focal point for the various organizations currently operating in Sarajevo in the restoration of essential services as well as for those offering their assistance henceforth. The initial outcome will be a comprehensive status report, taking stock of and assessing past and current activities to restore public services in Sarajevo, which would provide the basis for the plan of action requested in paragraph 3 of Security Council resolution 900 (1994). In this context, "essential public services" have been identified as public health, shelter, water, energy, public transport, communications, education and sanitation. Sectoral working groups are being established, which will set priorities, assess needs and recommend a division of responsibilities under the overall supervision of the Interim Coordination Body.

25. To build on this early start and to capitalize on the efforts being made by various Governments and non-governmental organizations, I shall shortly announce the appointment of a senior civilian official, with the title of Special Coordinator, who would be based in Sarajevo and coordinate the initial efforts under the overall authority of the Special Representative of the Secretary-General. His task would be to draw up a plan of action in close consultation and cooperation with the Government of Bosnia and Herzegovina and all relevant local authorities. This appointment would be made at the Assistant Secretary-General level. The Special Coordinator would have to be provided with appropriate support staff.

26. I shall keep the Security Council regularly informed on progress made with regard to the plan of action for the restoration of essential public services in the Sarajevo area. Pursuant to paragraph 4 of resolution 900 (1994), I shall establish a trust fund for this purpose to be administered in accordance with the financial rules and regulations of the United Nations.

V. FINANCIAL IMPLICATIONS

27. Preliminary estimates of the costs of the proposals contained in the present report will be circulated shortly as an addendum.

VI. OBSERVATIONS

28. As indicated above, the implementation of resolution 900 (1994) will require an increase of the authorized strength of UNPROFOR by a total of 8,250 additional troops, 150 military observers and 275 civilian police monitors. Of these additional troops, 2,200 would be required for the operation in and around Sarajevo and 6,050 for operations in central Bosnia, including Mostar and Vitez. Should the Council decide to extend the safe area concept to Maglaj, an additional 1,500 troops would be required.

29. The recent developments in Bosnia and Herzegovina have created a new situation, which should provide numerous opportunities for UNPROFOR to make substantial progress in the implementation of the mandates entrusted to it by the Security Council. However, at this critical juncture, UNPROFOR's ability to achieve those objectives is severely limited by the lack of military resources. At present, UNPROFOR is forced to approach its many responsibilities in an improvisational manner, while its resources are spread very thinly. I should like members of the Council to be aware of this situation and of the constraints facing the Force as it takes on these additional vital tasks. It is clear that UNPROFOR needs additional troops in order to avoid losing the newly gained initiative. It would be a tragedy for the people of Bosnia and Herzegovina if the present opportunity were lost for lack of resources.

30. I would, therefore, recommend that the Council consider increasing the authorized strength of UNPROFOR as requested above, in order to enable it to fulfil the challenges of demilitarizing Sarajevo, restoring normal life to the city and preserving the peace in central Bosnia. Should Member States not find it possible to make the necessary resources available to UNPROFOR, I shall be obliged to return to the Council to seek an appropriate modification of the mandates of the Force.

Annex

Peace Accord

Cease-fire agreement signed at Camp Pleso on 23 February 1994 by the Commander-in-Chief of the Army of Bosnia and Herzegovina, General Rasim Delic, and the Chief of Staff of the Croatian Defence Council, General Ante Roso. The meeting was hosted by the Force Commander, General Jean Cot. The Special Representative of the Secretary-General, Mr. Yasushi Akashi, and the Commander of the Bosnia and Herzegovina Command, Lieutenant-General Sir Michael Rose, signed as witnesses.

Both parties agreed to the following:

1. A cease-fire involving the immediate and total cessation of hostilities with effect from 1200A hours on 25 February 1994, including the following elements: no further offensive actions or attacks; the cessation of all forms of propaganda by one party against the other; and lines of contact and positions to remain fixed as at the time specified above.

2. The positioning of the United Nations Protection Force in sensitive areas and key locations in order to ensure adherence to the cease-fire.

3. The placing of all heavy weapons above 12.7 millimetres under United Nations Protection Force control or the withdrawal of those weapons to a minimum distance from the line of contact of 10 kilometres for mortars and 20 kilometres for tanks and artillery by 1200A hours on 7 March 1994.

4. The establishment of a Joint Commission, under the chairmanship of the United Nations Protection Force, on 25 February 1994 at Kiseljak, comprising representation of both parties in order to address the matters shown in the attached appendix, which forms part of the present Accord.

Appendix

1. The following are to be accomplished in order of priority:

(a) The opening of the following specified routes for convoys of humanitarian aid and of the United Nations Protection Force, commercial traffic and the passage of civilians, especially but not exclusively between:

Zenica-Stari Vitez

Mostar-Jablanica-Konjic-Sarajevo

Kiseljak-Vares

Kiseljak-Bilalovac-Busovaca

(b) The only checkpoints on such routes are to be under the control of UNPROFOR, but may be manned jointly.

(c) The opening of camps, the release of prisoners and the exchange of bodies, with the assistance of such organizations as the International Committee of the Red Cross.

(d) The unhindered and equitable distribution of humanitarian aid, including fuel oils, by the Office of the United Nations High Commissioner for Refugees.

(e) Restoration of utilities.

2. All the above measures to be taken with a view to a return to normality for the people of Bosnia and Herzegovina.

3. This Accord does not in any way prejudice any political discussions or agreements that may take place or be reached in the future.

4. It was furthermore agreed that there should be monthly high-level meetings between Generals Rose, Delic and Roso (or their representatives if they were unable to attend) or more frequently if the need arose.

Note:

1. The Bosnian Government authorities insisted on the withdrawal of regular Croatian troops from Bosnia and Herzegovina.

2. General Rose rejected the allegation that any such troops were present on the territory of Bosnia and Herzegovina.